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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,)
9)
10 Plaintiff,) Case No. CR08-154-JCC
11 v.)
12) **PROPOSED FINDINGS OF**
13) **FACT AND DETERMINATION**
14) **AS TO ALLEGED**
15) **VIOLATIONS OF**
16) **SUPERVISED RELEASE**
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24 INTRODUCTION

25 I conducted a hearing on alleged violations of supervised release in this case on June 17,
26 2009. The defendant appeared pursuant to a summons issued in this case. The United States
27 was represented by Annette Hayes, and defendant was represented by Dennis Carroll. Also
28 present was U.S. Probation Officer Angela M. McGlynn. The proceedings were digitally
29 recorded.

30 CONVICTION AND SENTENCE

31 Defendant was sentenced on September 27, 2007 by the Honorable James L. Robart for
32 Bank Fraud. She received 10 months imprisonment and 5 years of supervised release.
33 Defendant began her term of supervision on July 22, 2008. On December 30, 2008, the probation

1 office submitted a violation report alleging defendant had failed to make any restitution payments
2 since August 2008. The Court concurred with the probation office's recommendation that no
3 action be taken.

4 PRESENTLY ALLEGED VIOLATIONS AND
5 DEFENDANT'S ADMISSION OF THE VIOLATION

6 In a petition dated May 4, 2009, U.S. Probation Officer Angela McGlynn alleged that
7 defendant violated the following conditions of supervised release:

8 1. Committing the crime of theft, in violation of the special condition of ordering the
9 defendant to not commit another federal, state, or local crime.

10 2. Failing to submit truthful and complete written reports within the first five days of
11 each month, in violation of standard condition No. 2.

12 3. Failing to notify the probation officer at least 10 days prior to changing residences, in
13 violation of standard condition No. 6.

14 4. Having contact with a convicted felon without permission, in violation of standard
15 condition No. 9.

16 5. Failing to pay restitution as ordered in violation of the special condition requiring the
17 defendant pay restitution of \$39,469.70 to the victim.

18 On the government's motion, violation No. 1 was dismissed. Defendant admitted violations
19 2 - 5, waived any hearing as to whether they occurred, and was informed the matter would be set
20 for a disposition hearing July, 2, 2009 at 9:00 a.m. before District Judge John C. Coughenour.

21 RECOMMENDED FINDINGS AND CONCLUSIONS

22 Based upon the foregoing, I recommend the court find that defendant has violated the

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1 conditions of his supervised release as alleged above, and conduct a disposition hearing.

2 DATED this 17th day of June, 2009.

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5 BRIAN A. TSUCHIDA
6 United States Magistrate Judge
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